

In the High Court of Punjab and Haryana at Chandigarh

CWP No. 16972 of 2006

Date of decision: 27.10.2006

Smt. Ram Rati Devi Singhal

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR

HON'BLE MR. JUSTICE M.M.S. BEDI

PRESENT: Mr. S.R. Hooda, Advocate,

for the petitioner.

JUDGMENT

M.M. KUMAR, J. (Oral)

The claim made by the petitioner in this petition is that on the basis of roster point she should be given promotion as Head Teacher w.e.f. 26.4.1993. It is admitted case of the petitioner that she has been promoted as Head Teacher on 27.8.2001 (P-4). After her promotion in 2001, she has been only making representations and a period of more than five years has passed since then. It is well settled that if an employee has filed a representation then six months after filing of the representation he/she is supposed to approach the Court of law, as has been held by Hon'ble the Supreme Court in the case of

S.S. Rathore v. State of M.P., AIR 1990 SC 10. In the present case, even a civil suit which could have been filed within a period of three years, would not be competent. The limitation provided for civil suit can easily be read into the filing of writ petition as has been held by Hon'ble the Supreme Court in the case of **State of M.P. v. Bhailal Bhai, AIR 1964 SC 1006.**

In view of the above, the instant petition suffers from delay and laches, therefore, is liable to be dismissed. Accordingly, the petition fails and the same is dismissed.

(M.M. KUMAR)
JUDGE

(M.M.S. BEDI)
JUDGE

October 27, 2006

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